THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 2400 of 2006

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DATED: 10-02-2006

Pulimamidi Narsimha & 2 others.

..... PETITIONERS

AND

The Govt of A.P.,

rep. by its Prl, Secretary,

Revenue Department,

Secretariat, Hyderabad & 5 others.

.....RESPONDENTS

ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

2. It is stated that originally the land in S.No.129/1 admeasuring Ac.16.24 gts and the land in S.No.142/1 admeasuring Ac.8.26 gts situated at Sultanpally village, Shamshabad Mandal, Rangareddy District stand in the name of one late Venkata Sivalingam and the petitioners are the legal representatives of the said Venkata Sivalingam. The name of the said Venkata Sivalingam was recorded as a pattadar and possessor in all the revenue records. Petitioners herein filed a Ceiling Declaration in case No.2875/CH/75 before the Land Revenue Tribunal, Hyderabad, but the said land has been shown as 'BILAL DAKILA' as settlement error. Then the petitioners applied for certified copy of the revenue records and in the pattadar column the same has been shown as 'SARKARI' i.e., the government land.

Petitioners also applied for a certified copy of 'Sethwar' and 'Wasool Baqui' and a memo was issued on 25-07-2005 stating that the records are not available. It is further stated that as there is no other remedy available to the petitioners to correct the entries made in the revenue records for deleting the words 'SARKARI' and 'BILAL DAKILA' in the revenue records, petitioners filed an appeal under Section 87 and 166-B of the A.P.(Telangana Area) of Tenancy and Agricultural Lands Act, 1317 Fasli (for brevity, 'the Act') on 12-09-2005 to call for the entire records and to pass appropriate orders and the said appeal was received by the 1st respondent on 12-09-2005 itself but the same has not been numbered or disposed of. It is stated that the only course open to the petitioners for getting corrected the errors and wrong entry of pattadar name in the revenue records is under Section 87 and 166-B of the Act as held by this Court in ***K.GNANESHWAR v. STATE OF A.P., REVENUE DEPARTMENTS AND OTHERS.***

3. Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, I am of the opinion that the application filed by the petitioners before the 1st respondent-Principal Secretary, Revenue Department, Secretariat, Hyderabad, is not maintainable and as per the aforesaid judgment the appeal has to approach the Collector only.

4. Accordingly, the Writ Petition is dismissed with a liberty to the petitioners to take appropriate steps by filing an appropriate application before the appropriate authority.

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(V.ESWARAIAH,J)

10th February, 2006.

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